

Corporation for National and Community Service

§ 2541.520

suspension and termination, do not preclude grantee or subgrantee from being subject to “Debarment and Suspension” under E.O. 12549 (see § 2541.350).

§ 2541.440 Termination for convenience.

Except as provided in § 2541.430 awards may be terminated in whole or in part only as follows:

(a) By the awarding agency with the consent of the grantee or subgrantee in which case the two parties shall agree upon the termination conditions, including the effective date and in the case of partial termination, the portion to be terminated; or

(b) By the grantee or subgrantee upon written notification to the awarding agency, setting forth the reasons for such termination, the effective date, and in the case of partial termination, the portion to be terminated. However, if, in the case of a partial termination, the awarding agency determines that the remaining portion of the award will not accomplish the purposes for which the award was made, the awarding agency may terminate the award in its entirety under either § 2541.430 or paragraph (a) of this section.

Subpart F—After the Grant Requirement

§ 2541.500 Closeout.

(a) *General.* The Federal agency will close out the award when it determines that all applicable administrative actions and all required work of the grant has been completed.

(b) *Reports.* Within 90 days after the expiration or termination of the grant, the grantee must submit all financial, performance, and other reports required as a condition of the grant. Upon request by the grantee, Federal agencies may extend this time frame. These may include but are not limited to:

(1) Final performance or progress report;

(2) Financial Status Report (SF 269) or Outlay Report and Request for Reimbursement for Construction Programs (SF-271) (as applicable);

(3) Final request for payment (SF-270) (if applicable);

(4) Invention disclosure (if applicable);

(5) Federally-owned property report. In accordance with § 2541.320(f), a grantee must submit an inventory of all federally owned property (as distinct from property acquired with grant funds) for which it is accountable and request disposition instructions from the Federal agency of property no longer needed.

(c) *Cost adjustment.* The Federal agency will, within 90 days after receipt of reports in paragraph (b) of this section, make upward or downward adjustments to the allowable costs.

(d) *Cash adjustments.* (1) The Federal agency will make prompt payment to the grantee for allowable reimbursable costs.

(2) The grantee must immediately refund to the Federal agency any balance of unobligated (unencumbered) cash advanced that is not authorized to be retained for use on other grants.

§ 2541.510 Later disallowances and adjustments.

The closeout of a grant does not affect:

(a) The Federal agency’s right to disallow costs and recover funds on the basis of a later audit or other review;

(b) The grantee’s obligation to return any funds due as a result of later refunds, corrections, or other transactions;

(c) Records retention as required in § 2541.420;

(d) Property management requirements in §§ 2541.3120 and 2541.320; and

(e) Audit requirements in § 2541.410.

§ 2541.520 Collection of amounts due.

(a) Any funds paid to a grantee in excess of the amount to which the grantee is finally determined to be entitled under the terms of the award constitute a debt to the Federal Government. If not paid within a reasonable period after demand, the Federal agency may reduce the debt by:

(1) Making an administrative offset against other requests for reimbursements;

(2) Withholding advance payments otherwise due to the grantee; or

(3) Other action permitted by law.

Pt. 2543

(b) Except where otherwise provided by statutes or regulations, the Federal agency will charge interest on an overdue debt in accordance with the Federal Claims Collection Standards (4 CFR Ch. II). The date from which interest is computed is not extended by litigation or the filing of any form of appeal.

PART 2543—GRANTS AND AGREEMENTS WITH INSTITUTIONS OF HIGHER EDUCATION, HOSPITALS, AND OTHER NON-PROFIT ORGANIZATIONS

Subpart A—General

Sec.

- 2543.1 Purpose.
- 2543.2 Definitions.
- 2543.3 Effect on other issuances.
- 2543.4 Deviations.
- 2543.5 Subawards.

Subpart B—Pre-Award Requirements

- 2543.10 Purpose.
- 2543.11 Pre-award policies.
- 2543.12 Forms for applying for Federal assistance.
- 2543.13 Debarment and suspension.
- 2543.14 Special award conditions.
- 2543.15 Metric system of measurement.
- 2543.16 Resource Conservation and Recovery Act.
- 2543.17 Certifications and representations.

Subpart C—Post-Award Requirements

FINANCIAL AND PROGRAM MANAGEMENT

- 2543.20 Purpose of financial and program management.
- 2543.21 Standards for financial management systems.
- 2543.22 Payment.
- 2543.23 Cost sharing or matching.
- 2543.24 Program income.
- 2543.25 Revision of budget and program plans.
- 2543.26 Non-Federal audits.
- 2543.27 Allowable costs.
- 2543.28 Period of availability of funds.

PROPERTY STANDARDS

- 2543.30 Purpose of property standards.
- 2543.31 Insurance coverage.
- 2543.32 Real property.
- 2543.33 Federally-owned and exempt property.
- 2543.34 Equipment.
- 2543.35 Supplies and other expendable property.
- 2543.36 Intangible property.

45 CFR Ch. XXV (10–1–07 Edition)

- 2543.37 Property trust relationship.

PROCUREMENT STANDARDS

- 2543.40 Purpose of procurement standards.
- 2543.41 Recipient responsibilities.
- 2543.42 Codes of conduct.
- 2543.43 Competition.
- 2543.44 Procurement procedures.
- 2543.45 Cost and price analysis.
- 2543.46 Procurement records.
- 2543.47 Contract administration.
- 2543.48 Contract provisions.

REPORTS AND RECORDS

- 2543.50 Purpose of reports and records.
- 2543.51 Monitoring and reporting program performance.
- 2543.52 Financial reporting.
- 2543.53 Retention and access requirements for records.

TERMINATION AND ENFORCEMENT

- 2543.60 Purpose of termination and enforcement.
- 2543.61 Termination.
- 2543.62 Enforcement.

Subpart D—After-the-Award Requirements

- 2543.70 Purpose.
- 2543.71 Closeout procedures.
- 2543.72 Subsequent adjustments and continuing responsibilities.
- 2543.73 Collection of amounts due.

Subpart E—Statutory Compliance

- 2543.80 Contract provisions.
- 2543.81 Equal employment opportunity.
- 2543.82 Copeland “Anti-Kickback” Act.
- 2543.83 Davis-Bacon Act.
- 2543.84 Contract Work Hours and Safety Standards Act.
- 2543.85 Rights to inventions made under contract or agreement.
- 2543.86 Clean Air Act and the Federal Water Pollution Control Act.
- 2543.87 Byrd anti-lobbying amendment.
- 2543.88 Debarment and suspension.

AUTHORITY: 42 U.S.C. 12501 et seq.

SOURCE: 60 FR 13055, Mar. 10, 1995, unless otherwise noted.

Subpart A—General

§ 2543.1 Purpose.

This Circular establishes uniform administrative requirements for Federal grants and agreements awarded to institutions of higher education, hospitals, and other non-profit organizations. Federal awarding agencies shall not impose additional or inconsistent requirements, except as provided in